

**BEFORE THE VIRGINIA GAS AND OIL BOARD**

**RELIEF SOUGHT:** An Order for Disbursement of Escrowed Funds  
(and Authorization for Direct Payment of Royalties)

**JURISDICTION:** Code of Virginia § 45.1-351. (et seq) AND § 45.1-361.22 (et seq)

UNIT/WELL NAME: VC-3594  
TRACT(S): 6  
LOCATION: DICKENSON County, Virginia

**TAX ID NUMBERS:** Tax Map Identification Numbers for all parcels affected by this order are shown on: Exhibit B

**DOCKET NUMBER:** VGOB-96-0820-0552-05

**APPLICANTS:** EQT Production Company on behalf of Brandon S Rose, Kyle M Rose

**HEARING DATE AND LOCATION:** Russell County Government Center, Lebanon, Virginia  
December 17, 2013

**APPEARANCES:** James Kaiser on behalf of EQT Production Company

**PRIOR PROCEEDINGS:**

1. Original Pooling Order Executed 09/05/1996, Recorded on 09/17/1996, Deed Book/Instrument No. 320, Page 146.
2. Modification Order -01 Executed 01/17/1997, Recorded on 01/31/1997, Deed Book/Instrument No. 323, Page 611.
3. Supplemental Order -01 Executed 05/08/1997, Recorded on 05/21/1997, Deed Book/Instrument No. 326, Page 370.
4. Supplemental Order Executed 05/08/1997, Recorded on 05/21/1997, Deed Book/Instrument No. 326, Page 370.

5. Disbursement Order -02 Executed 02/02/2006, Recorded on 02/07/2006, Deed Book/Instrument No. 422, Page 393.
6. Disbursement Order -03 Executed 02/16/2012, Recorded on 03/20/2012, Deed Book/Instrument No. 495, Page 163.
7. Disbursement Order -04 Executed 09/26/2012, Recorded on 10/22/2012, Deed Book/Instrument No. 501, Page 198.

**NOTICE:**

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the December 17, 2013 hearing and considered whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract(s) 6 identified in the attached petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract(s) 6 relative to the interests of the Applicants identified in the attached petition.
- (3) Continue the escrow account under this docket number.

**FINDINGS:** Code of Virginia § 45.1-361.22

Applicant has certified and represented to the Board that:

Range Resources-Pine Mountain was a conflicting claimant with Brandon S Rose and Kyle M Rose with regard to Tract 6 of Well VC-3594 as created by Board Order VGOB 96/08/20-0552. To resolve this conflict, a letter dated September 4, 2013, signed by Phil Horn, Land Manager for Range Resources-Pine Mountain is attached hereto relinquishing their claim to the cbm.

**RELIEF GRANTED:**

DB 515 PG 722

VGOB Disbursement  
Unit VC-3594

VGOB-96-0820-0552-05

Table 1  
Tracts: 6

Item	Tract	Disbursement Table	Fractional Ownership in Tract	Net Acreage in Tract	Royalty Split Agreement	Escrowed Acres Disbursed	Percent of Escrowed Funds Disbursed
		Total acreage in escrow before disbursement				9.09000	
	6	Tract 6 (total acreage)		12.00			
1	6	Brandon S Rose\9559 Hickory Falls Way, Nottingham, MD 21236		3.0000	100.00%	3.0000	33.0033%
2	6	Kyle M Rose\3301 Vintage Drive, Round Rock, TX 78664		3.0000	100.00%	3.0000	33.0033%

**1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.**

**2. The Escrow Agent is ordered to continue the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.**

**CONCLUSION:**

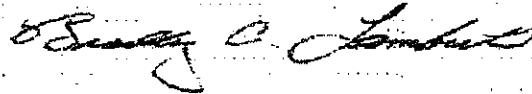
Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

**APPEALS:**

Appeals of this Order are governed by the provisions of the Code of Virginia § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

DB 515 P6723

DONE AND EXECUTED this 14 day of February, 2014 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

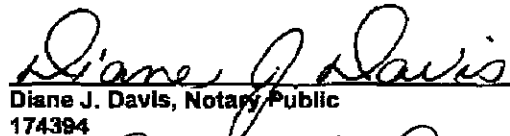
DONE AND PERFORMED this 14 day of February, 2014 by Order of the Virginia Gas and Oil Board.



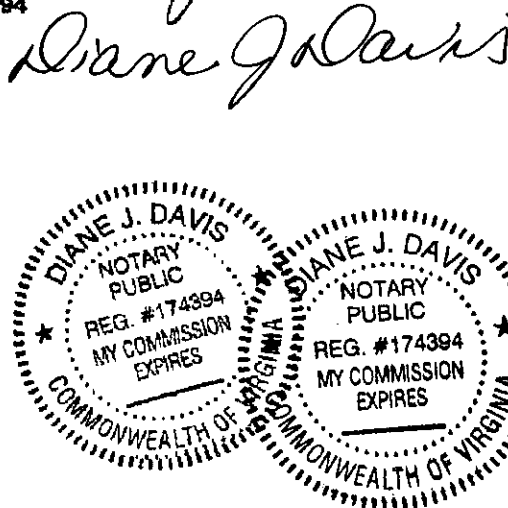
Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 14<sup>th</sup> day of Feb, 2014, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and appeared Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.

  
Diane J. Davis, Notary Public  
174394

My Commission expires: September 30, 2017



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: EQT Production Company

DIVISION OF GAS AND OIL

DOCKET NO: VGOB 96-0820-0552-05

RELIEF SOUGHT: (1) DISBURSEMENT FROM  
ESCROW REGARDING TRACT(S) 6  
(2) AND AUTHORIZATION FOR DIRECT  
PAYMENT OF ROYALTIES

HEARING DATE: November 19, 2013

DRILLING UNIT: VC-3594

DICKENSON COUNTY, VIRGINIA

PETITION FOR ORDER OF DISBURSEMENT OF ESCROW FUNDS

**1. Petitioner and its counsel**

Petitioner is EQT Production Company, 225 North Shore Drive, Pittsburgh, PA 15212, (412)553-5700. Petitioner's counsel is James Kaiser, Wilhoit and Kaiser Law Firm, 220 Broad Street, Suite 210, Kingsport, TN 37660 .

**2. Relief Sought**

Petition for the disbursement of escrowed funds on behalf of Kyle M Rose and Brandon Rose in Tract 6 of Drilling Unit VC-3594, VGOB 96/08/20-0552.

**3. Legal Authority**

Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

**4. Type of Well(s)**

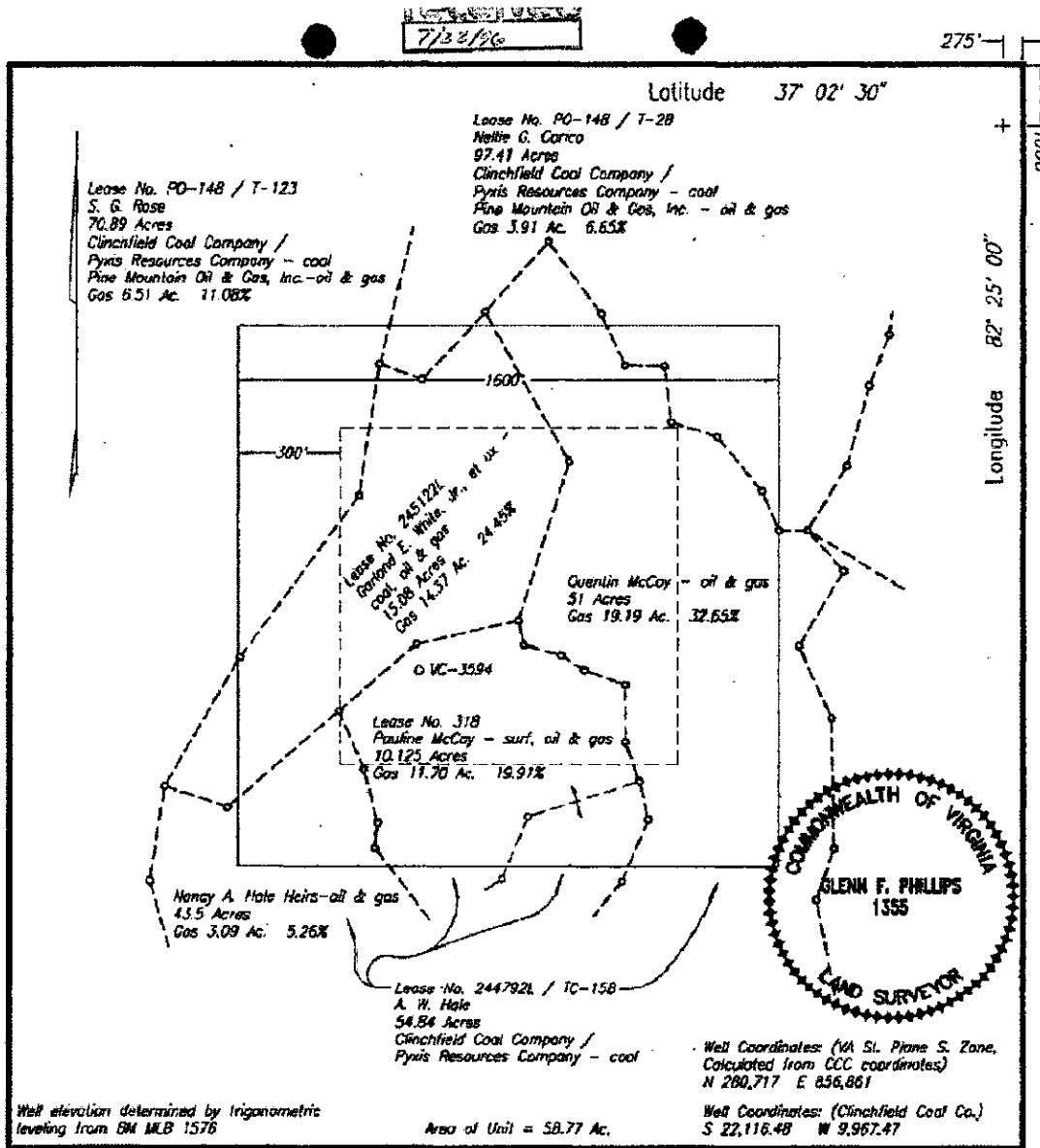
Coalbed Methane

**5. Factual basis for relief requested**

Range Resources-Pine Mountain was a conflicting claimant with Brandon S Rose and Kyle M Rose with regard to Tract 6 of Well VC-3594 as created by Board Order VGOB 96/08/20-0552. To resolve this conflict, a letter dated September 4, 2013, signed by Phil Horn, Land Manager for Range Resources-Pine Mountain is attached hereto relinquishing their claim to the cbm.

**6. Attestation**

The foregoing Petition to the best of my knowledge, information, and belief is true and correct.



COMPANY Equitable Resources Energy Company WELL NAME AND NUMBER VC-3594  
TRACT NO. TC-158 ELEVATION 2258.52 QUADRANGLE Coney Ridge  
COUNTY Dickenson DISTRICT Kenady SCALE 1" = 400' DATE 7-15-1996

This Plat is a new plat x; an updated plat   ; or a final location plat   

+ Denotes the location of a well on United States topographic Maps, scale 1 to 24,000, latitude and longitude lines being represented by border lines as shown.

Glenn F. Phillips

~~Licensed Professional Engineer or~~ Licensed Land Surveyor

Form DGO-GO-7

VGOB Disbursement

Unit VC-3594

VGOB-96-0820-0552-05

Table 1

Tracts: 6

			Fractional	Net Acreage	Royalty	Escrowed	Percent of	Disbursement
			Ownership	Ownership	Split	Acres	Escrowed Funds	
			In Tract	In Tract	Agreement	Disbursed	Disbursed	
Item	Tract	Disbursement Table						
		Total acreage in escrow before disbursement				9.09000		
6 Tract 6 (total acreage)			12.00					
1	6	Brandon S Rose\9559 Hickory Falls Way, Nottingham, MD 21236		3.0000	100.00%	3.0000	33.0033%	\$9,714.57
2	6	Kyle M Rose\3301 Vintage Drive, Round Rock, TX 78664		3.0000	100.00%	3.0000	33.0033%	\$9,714.57

Wells contributing to the escrow account: VC-3594 W/PL

DB 515 PG 727

**SUPPLEMENT "B"**  
**VC-3594**  
**VGOB 96/08/20-0552**  
**Revised 9/23/2013**

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTEREST</u>	
<u>Gas Estate Only</u>						
1	Pauline R McCoy	Leased-EPC	19.910000%	11.7000	0.02488750	RI
Tax ID 5029	HC05 Box 424 Coeburn, VA 24230	241581				
	EQT Production Company				0.17421250	
Tract 1 Totals			19.910000%	11.7000	0.19910000	
2	Nancy A Hale Heirs	Unleased	5.260000%	3.0900	0.00657500	
Minerals Only	Unknown					
	EQT Production Company				0.04602500	
Tract 1 Totals			5.260000%	3.0900	0.05260000	
3	Garland E White, Jr and	Leased-EREC	24.450000%	14.3700	0.03056250	RI
Tax ID 4529	Rilda Mae White, H/W Route 1, Box 206 McClure, VA 24269	245122.01				
	EQT Production Company				0.21393750	
Tract 1 Totals			24.450000%	14.3700	0.24450000	
4	Pine Mountain Oil & Gas, Inc	Leased-EREC	11.080000%	6.5100	0.01385000	
Tax ID 20734	Attn: Richard Brillhart PO Box 5100 Lebanon, VA 24226	241490 Tract T-123				
	EQT Production Company				0.09695000	
Tract 1 Totals			11.080000%	6.5100	0.11080000	
5	Pine Mountain Oil & Gas, Inc.	Leased-EPC	6.650000%	3.9100	0.00831250	
Tax ID 20637	Attn: Richard Brillhart P.O. Box 2136 Abingdon, VA 24212	241490 Tract T-28				
	EQT Production Company				0.05818750	
Tract 1 Totals			6.650000%	3.9100	0.06650000	



# DB 515 PG729

6 Brandon S Rose\* Leased -EREC 5.105000% 3.0000 0.00638125  
 Tax ID 5029 9559 Hickory Falls Way 245198.01  
 Nottingham, MD 21236  
*\*Formerly David K Rose. See attached Affidavit of Heirship*

Kyle M Rose\* Leased -EREC 5.105000% 3.0000 0.00638125  
 3301 Vintage Drive 245198.01  
 Round Rock, TX 78664  
*\*Formerly David K Rose. See attached Affidavit of Heirship*

Virginia Vandergriff and Leased - EREC 10.210000% 6.0000 0.01276250  
 Randall Vandergriff, W/H 245198.02  
 120 Ranch Lake Blvd  
 Scott Depot, WV 25560

EQT Production Company			0.17867500
Tract 1 Totals	20.420000%	6.0000	0.20420000

7 Quentin M McCoy, single Unleased 12.230000% 7.1900 0.01528750  
 Tax ID 5011 Rt. 1 Box 299  
 21800 St. Paul, VA 24282

EQT Production Company			0.10701250
Tract 1 Totals	12.230000%	7.1900	0.12230000

**TOTAL GAS ESTATE 100.000000% 55.7700 2.00000000**

Percentage of Unit Leased 91.300000%  
 Percentage of Unit Unleased 8.710000%

Acreage in Unit Leased 53.6500  
 Acreage in Unit Unleased 5.1200

## Coal Estate Only

1 Clinchfield Coal Company Leased-EPC 19.910000% 11.7000 0.02488750 RI  
 Tax ID 21945 Attn: Steve Smith 244792  
 PO Box 5100 Tract TC-158  
 Lebanon, VA 24226

EQT Production Company			0.17421250
Tract 1 Totals	19.910000%	11.7000	0.19910000

# DB 515 PG730

2	Clinchfield Coal Company	Leased-EPC	5.260000%	3.0900	0.00657500	RI
Tax ID 21945	Attn: Steve Smith	241640				
	PO Box 5100	Tract TC-158				
	Lebanon, VA 24226					
	EQT Production Company				0.04602500	
Tract 2 Totals			5.260000%	3.0900	0.05260000	
3	Garland E White, Jr and	Leased-EPC	24.450000%	14.3700	0.03056250	
Tax ID 20734	Rilda Mae White, H/W	245122.01				
	Route 1, Box 206					
	McClure, VA 24269					
	EQT Production Company				0.21393750	
Tract 3 Totals			24.450000%	14.3700	0.24450000	
4	Clinchfield Coal Company	Leased-EPC	11.080000%	6.5100	0.01385000	
Tax ID 20734	Attn: Steve Smith	241490				
	PO Box 5100	Tract T-123				
	Lebanon, VA 24226					
	EQT Production Company				0.09695000	
Tract 4 Totals			11.080000%	6.5100	0.11080000	
5	Clinchfield Coal Company	Leased-EPC	6.650000%	3.9100	0.00831250	
Tax ID 20637	Attn: Steve Smith	241490				
	PO Box 5100	Tract T-28				
	Lebanon, VA 24226					
	EQT Production Company				0.05818750	
Tract 5 Totals			6.650000%	3.9100	0.06650000	
6	Clinchfield Coal Company	Leased-EPC	20.420000%	12.0000	0.02552500	
Tax ID 21945	Attn: Steve Smith	244792				
	PO Box 5100	Tract TC-158				
	Lebanon, VA 24226					
	EQT Production Company				0.17867500	
Tract 6 Totals			20.420000%	12.0000	0.20420000	
7	Clinchfield Coal Company	Leased-EPC	12.230000%	7.1900	0.01528750	
Tax ID 21945	Attn: Steve Smith	244792				
	PO Box 5100	Tract TC-158				
	Lebanon, VA 24226					
	EQT Production Company				0.10701250	
Tract 7 Totals			12.230000%	7.1900	0.12230000	

<b>TOTAL COAL ESTATE</b>	<b>100.000000%</b>	<b>58.7700</b>
Percentage of Unit Leased	100.000000%	
Percentage of Unit Unleased	0.000000%	
Acreage in Unit Leased		58.7700
Acreage in Unit Unleased		0.0000

703594

VGOB-96-0820-0552

**Unleased Owners/Claimants Requiring Escrow**

Revised 9/23/2013

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTEREST</u>	
<u>Gas Estate Only</u>						
2 Minerals Only	Nancy A. Hale Heirs Unknown	Unleased	5.260000%	3.0900	0.00657500	RI
<u>Coal Estate Only</u>						
2 Minerals Only	Pine Mountain Oil & Gas, Inc. Attn: Richard Brillhart P. O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490 Tract T-78 & T-79	5.260000%	3.0900	0.00657500	RI

**EXHIBIT "EE"**  
**VC-3594**  
**VGOB 96/08/20-0552**  
**Revised 9/23/2013**

**Disbursement -02**

<b><u>Gas Estate</u></b>				
1	Pauline R McCoy HC05 Box 424 Coeburn, VA 24230	Leased-EPC 241581	19.910000%	11.7000
<b><u>Coal Estate</u></b>				
1	Clinchfield Coal Company Attn: Steve Smith PO Box 5100 Lebanon, VA 24226	Leased-EPC 244792 Tract TC-158	Waived	

**Disbursement -03**

<b><u>Gas Estate</u></b>				
6	Virginia Vandergriff and Randall Vandergriff, W/H 120 Ranch Lake Blvd. Scott Depot, WV 25560	Leased-EPC 245198.02	10.210000%	6.0000
<b><u>Coal Estate</u></b>				
6	Pine Mountain Oil & Gas, Inc. Attn: Richard Brillhart P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 244792 Tract TC-158	Waived	

**Disbursement -04**

<b><u>Gas Estate</u></b>				
7	Quentin M. McCoy, Single Route 1, Box 299 St. Paul, VA 24282	Unleased	12.230000%	7.1900
<b><u>Coal Estate</u></b>				
7	Pine Mountain Oil & Gas, Inc. Attn: Richard Brillhart P. O. Box 2136 Abingdon, VA 24212	Leased-EPC 244792 Tract TC-158	Waived	

**Current Disbursement -05**

6	Brandon S Rose* 9559 Hickory Falls Way	Leased -EREC 245198.01	5.105000%	3.0000
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Nottingham, MD 21236

*\*Formerly David K Rose. See attached Affidavit of Heirship*

Kyle M Rose\*

3301 Vintage Drive

Round Rock, TX 78664

*\*Formerly David K Rose. See attached Affidavit of Heirship*

Leased -EREC 5.105000% 3.0000  
245198.01

- 6 Pine Mountain Oil & Gas, Inc.  
Attn: Richard Brillhart  
P.O. Box 2136  
Abingdon, VA 24212

Leased-EPC Waived  
244792  
Tract TC-158



RANGE RESOURCES®

September 4, 2013

Mr. Kyle M. Rose  
3301 Vintage Drive  
Round Rock, TX 78664

Re: **Permanent Release of CBM Royalty**  
**Well VC-3594 and VC-5243**  
**Dickenson County, Virginia**

Dear Mr. Rose:

As you are aware, EQT Production Company ("EQT") has drilled the above-referenced coalbed methane gas well on a 15 acre tract ("Subject Tract") under a pooling order from the Virginia Gas and Oil Board ("Board"). In the pooling order, we are listed as having conflicting claims. Range Resources - Pine Mountain, Inc. ("RRPM") is listed as claiming under a coal title, and you are listed as claiming under a gas title. The plat indicating the location of the well within the operating unit is enclosed for your reference.

EQT, as operator of the units, has placed or will place all royalty proceeds attributable to conflicting claims into an escrow or suspense account. In order to allow release of the royalty proceeds, RRPM hereby waives any claims to past or to future royalties attributable to your interests in these wells.

By copy of this letter, RRPM is requesting EQT to initiate distribution directly to you of all current royalties, as well as all future royalties, attributable to your interests in these wells. Please be advised that EQT may require that you demonstrate that you are the current owner of the gas estate. You should work directly with EQT on that issue.

Enclosed is a W-9 Form that you will need to complete by entering your Social Security Number in Part I and by signing and dating the Certification in Part II. A self-addressed, stamped envelope is enclosed for your convenience in returning the completed form to this office.

Mr. Kyle M. Rose  
September 4, 2013  
Page 2

If you have any questions, please do not hesitate to call me at 276-619-2583

Sincerely,

RANGE RESOURCES-PINE MOUNTAIN, INC.

A handwritten signature in black ink, appearing to read "Phil Horn".

Phil Horn  
Land Manager

Enclosures

cc: Kristie Rudick, EQT  
Rita Barrett  
George Heflin, EQT  
Debbie Louthian, RRPM





RANGE RESOURCES®

September 4, 2013

Mr. Brandon S. Rose  
327 Laburnum Road  
Edgewood, MD 21040

Re: **Permanent Release of CBM Royalty**  
**Well VC-3594 and VC-5243**  
**Dickenson County, Virginia**

Dear Mr. Rose:

As you are aware, EQT Production Company ("EQT") has drilled the above-referenced coalbed methane gas well on a 15 acre tract ("Subject Tract") under a pooling order from the Virginia Gas and Oil Board ("Board"). In the pooling order, we are listed as having conflicting claims. Range Resources - Pine Mountain, Inc. ("RRPM") is listed as claiming under a coal title, and you are listed as claiming under a gas title. The plat indicating the location of the well within the operating unit is enclosed for your reference.

EQT, as operator of the units, has placed or will place all royalty proceeds attributable to conflicting claims into an escrow or suspense account. In order to allow release of the royalty proceeds, RRPM hereby waives any claims to past or to future royalties attributable to your interests in these wells.

By copy of this letter, RRPM is requesting EQT to initiate distribution directly to you of all current royalties, as well as all future royalties, attributable to your interests in these wells. Please be advised that EQT may require that you demonstrate that you are the current owner of the gas estate. You should work directly with EQT on that issue.

Enclosed is a W-9 Form that you will need to complete by entering your Social Security Number in Part I and by signing and dating the Certification in Part II. A self-addressed, stamped envelope is enclosed for your convenience in returning the completed form to this office.

Mr. Brandon S. Rose  
September 4, 2013  
Page 2

If you have any questions, please do not hesitate to call me at 276-619-2583

Sincerely,

RANGE RESOURCES-PINE MOUNTAIN, INC.

A handwritten signature in black ink that reads "Phil Horn". The signature is written in a cursive, slightly slanted style.

Phil Horn  
Land Manager

Enclosures

cc: Kristie Rudick, EQT  
Rita Barrett  
George Heflin, EQT  
Debbie Louthian, RRPM

## LIST OF HEIRS

COMMONWEALTH OF VIRGINIA VA. CODE § 64.1-134

Court File No. Chf

Dickenson County

Circuit Court

David Kyle Rose

NAME OF DECEDENT

11/11/2008

DATE OF DEATH

I/We, the undersigned, hereby state under oath that the following are all of the heirs of the Decedent:

NAMES OF HEIRS	ADDRESSES	RELATIONSHIP	AGE
Brandon Scott Rose	327 Laburnum Rd, Edgewood, MD 21040	Son	Adult
Kyle Mathew Rose	3301 Vintage Dr, Round Rock, TX 78664	Son	Adult

[ ] This LIST OF HEIRS is filed in addition to the LIST OF HEIRS previously filed with this Court on 11/11/2008

I/we am/are (please check one):

[ ] Proponent(s) of the will (no qualification)

[ ] Personal representative(s) of the decedent's estate

[\*] Heir-at-law of intestate decedent (no qualification within 30 days following death)

Given under my/our hand this 23 day of July, 2012

Brandon Scott Rose

PRINTED NAME OF SUBSCRIBER

PRINTED NAME OF SUBSCRIBER

PRINTED NAME OF SUBSCRIBER

DATE

RECORDED BY: CLP

SIGNATURE OF SUBSCRIBER

Brandon Scott Rose

SIGNATURE OF SUBSCRIBER

SIGNATURE OF SUBSCRIBER

State/Commonwealth of Maryland [ ] City [X] County of Harford to wit:Subscribed and sworn to before me this 23rd day of July, 2012by Brandon Scott Rose

NAME(S)



[ ] CLERK [ ] DEPUTY CLERK [X] NOTARY PUBLIC

My commission expires October 2, 2014

Registration No. \_\_\_\_\_

VIRGINIA: In the Clerk's Office of the Dickenson Co. Circuit Court this 1st day of Nov., 2012  
the foregoing LIST OF HEIRS was filed and admitted to record.Teste: RICHARD EDWARDS, CLERK

CLERK

by: Dennis G. Edwards, Deputy Clerk

00

\$29

On  
fams

INSTRUMENT #140000478  
RECORDED IN THE CLERK'S OFFICE OF  
SIOUX COUNTY ON  
APRIL 23, 2014 AT 11:33AM  
RICHARD W. EDWARDS, CLERK  
RECORDED BY: CUB